HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO: 22576 of 2007

Dated: 26-10-2007

Between:

J.Sobha Rani

..... PETIT

AND

The Deputy Transport Commissioner and Secretary,
Regional Transport Authority,
Kadapa and another.

.....RESPONI

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 22576 of 2007

O R D E R:

This writ petition is filed questioning the seizure of the vehicle bearing registration No.AP 04 U 3978 under check report No.2919724 dated 22-10-2004 by respondent No.2.

On 25-10-2007 learned Government Pleader for transport took time for getting instructions. Today, the learned Government Pleader produced a copy of the memo bearing R.No.7306/A2/2007 dated 25-10-2007 passed by respondent No.1 which reads as under:

> "In the reference 2nd cited, Smt.J.Sobha Rani, w/o J.Jagadeeswar Reddy, resident of H.No.11/6, Nabikot, Kadapa, Registered Owner of the HPV Idle contract Carriage bearing registration number AP04U3978 has requested this authority to release her vehicle under question which is under seizure vide reference 1st cited, under Rule 448 (B) of the Andhra Pradesh Motor Vehicles rules, 1989.
>
> On verification of this office records, the signature of the Registered Owner in the application 2nd cited is not tallying with the signature containing in this office. Further, the Registered Owner has not enclosed the original documents pertaining to her vehicle in question as required under Rule 448(B) of APMV Rules, 1989.
>
> In view of the above circumstances, Smt. J.Sobha Rani, w/o J.Jagadeeswar Reddy, Registered Owner of the vehicle AP04U3978, Kadapa is requested to appear before the undersigned on any working day, to prove the bonafides of her ownership for the above vehicle."

Learned counsel for the petitioner, who went through the copy of the memo submitted that his client has no objection to comply with the requirements contained in the memo for release of the vehicle.

In view of the submission of the learned counsel for the petitioner, the writ petition is disposed of in the following terms:

(1) within three days from today, the petitioner shall produce all the documents which are required in the memo dated 25-10-2007.

(2) Within two days thereafter, respondent No.1 shall take a decision on the release of the vehicle, and

(3) If respondent No.2 is satisfied about the documents produced by the petitioner he shall release the vehicle in favour of the petitioner.

With the above directions, the writ petition is disposed of. No costs.

C.V.NAGARJUNA REDDY,J

Date: 26-10-2007

Note: Issue C.C. by tomorrow.

B/o

KLP